

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

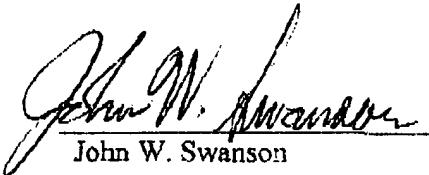
**Applicant:** John W. Swanson      **Art Unit:** 3739  
**Serial No.:** 10/822,491      **Examiner:** Cohen, L  
**Filing Date:** April 12, 2004      **Docket:** MH1.238  
**Title:** Flexible Bio-Probe Assembly

## DECLARATION UNDER 37 CFR 1.31

I, John W. Swanson, being duly warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 USC 1001) and may jeopardize the validity of the application or any patent issuing thereon, do declare as follows:

I invented the subject matter of U.S. patent application serial number 10/822,491 as defined by the current claims of that application, prior to May 30, 2001.

All statements in this declaration made of my own knowledge are true. All statements made on the basis of information and belief and believed to be true.

  
John W. Swanson      February 28, 2005  
John W. Swanson